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OFFICE OF PETITIONS

In re Application of	:	
Noriyuki Sasaki	:	
Application No. 10/658,333	:	DECISION ON PETITION
Filed: September 10, 2003	:	
Attorney Docket No. 122.1567	:	

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed October 9, 2007.

The petition is **GRANTED**.

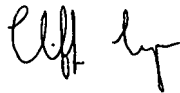
The above-identified application was held abandoned for failure to timely file a response to the final Office action mailed September 28, 2006. Applicant filed an Amendment on December 28, 2006. However, the Amendment failed to place the application in condition for allowance, and Applicant was notified of such in an Advisory Action mailed January 23, 2007. No further reply was received. Accordingly, the application became abandoned on December 29, 2006. A Notice of Abandonment was mailed on September 24, 2007.

On petition, petitioner argues that he filed an RCE on February 26, 2007. In support thereof, petitioner has included a copy of a USPTO date stamped postcard receipt, itemizing an RCE and dated February 26, 2007. Lastly, a review of Office records reveals that the Office received the fee for both the RCE and a two month extension of time on February 26, 2007. Accordingly, it is obvious that the Notice of Abandonment was mailed in error.

In view thereof, **the holding of abandonment is withdrawn.**

The matter is being forwarded to Group Art Unit 2629 for consideration of the RCE filed February 26, 2007 (a copy of which has been supplied with the instant petition).

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3207.

A handwritten signature in cursive script, appearing to read "Cliff Congo".

Cliff Congo
Petitions Attorney
Office of Petitions